



W.P.(MD)No.4991 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4991 of 2025

Afsal Rahman

: Petitioner

Vs.

1. The Superintendent of Wakfs,
Office of the Superintendent of Wakfs,
Tamilnadu Wakf Board,
Thanjavur.

2. The President,
A1 Rahman Masjid,
214, 215 Rahman Nagar,
Medical College Road,
Thanjavur.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent on the basis of the petitioner representation dated 13.11.2024 on 07.01.2025 within the time stipulated by this Honourable Court.

For Petitioner : Mr. B.Jameelarasu

For Respondents : Mr.K.Jeya Mohan

for R1



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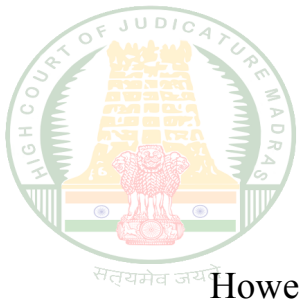
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ORDER

This writ petition has been filed seeking a mandamus, directing the first respondent to consider the petitioner's representations dated 13.11.2024 on 07.01.2025 within a time frame.

2. Heard the learned counsel for the petitioner and Mr.K.Jeya Mohan, learned counsel appearing on behalf of the first respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the second respondent is dispensed with.

3. The petitioner claims that he got married on 21.10.2024 with the consent of the second respondent/Jamathar, as per Muslim Sariat Law. He requested the marriage certificate from the second respondent for the purpose of registering the marriage. However, the request was denied without assigning any reasons. In this regard, the petitioner submitted representations on 13.11.2024 and 29.11.2024, requesting the second respondent to issue the marriage certificate.



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However, as no action has been taken on the representations, the petitioner has now filed the present writ petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent, to consider the petitioner's representation dated 29.11.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed



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any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

25.02.2025

Index : Yes / No

Internet : Yes / No

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To

The Superintendent of Wakfs,
Office of the Superintendent of Wakfs,
Tamilnadu Wakf Board,
Thanjavur.



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VIVEK KUMAR SINGH, J.

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